

Call to Order:

The meeting was called to order at 7:30 p.m. Present were Chair, Joan Duff, members Jay Doherty, Vincent Chiozzi (arrived at 7:46 p.m.), Eric Macaux and Lelani Loder; also present was Paul Materazzo, Director of Planner.

80 Andover Street:

The Board opened the public hearings that were continued without discussion from the August 14th meeting on an application by Continental Wingate Development Company for a Special Permit for Major Non-Residential Project for the construction of a 56,904 sf free-standing addition. Ms. Duff informed the Board that the applicant has requested to withdraw without prejudice the Major Non-Residential Special Permit to allow for updates to the plans. They are also requesting the Board waive the filing fees should they re-apply prior by March 26, 2012. Mr. Macaux made a motion seconded by Mr. Doherty to allow 80 Andover Street Wingate Health Care Major Non-Residential Permit be withdrawn without prejudice and the filing fees will be waived if the application is received prior to March 26, 2013. **Vote:** Unanimous (4-0)

Other Business:**Minutes:**

On a motion by Ms. Loder seconded by Mr. Doherty the Board voted to approve the minutes of August 14, 2012, as submitted. **Vote:** Unanimous (4-0)

Future Meetings:

The Board discussed the dates for Planning Board Meetings for the remainder of 2012. It was decided that the next meetings would be scheduled for November 13th, November 27th and December 11th at 7:30 p.m. A second meeting may be scheduled in December if necessary.

Route 133 Corridor:

Mr. Materazzo informed the Board that a meeting will be held on October 11th at 7:00 p.m. on potential pedestrian and vehicle enhancements to the Route 133 Corridor from Route 93 through Shawsheen Square to the railroad bridge at Brickstone Square. Legislators and MassDOT have expressed interest in helping the community upgrade this corridor, and transportation funds are available from the State that could be matched by the Town. This could also lead to the Shawsheen Renaissance program being brought back to life to create new economic vitality in that area and to make that area safer for pedestrians and drivers. The purpose of this first meeting is to hear from residents on their issues and concerns in that area.

Schneider TIF Agreement:

Mr. Materazzo gave the Board an update on the TIF proposal with Schneider. Schneider is totally committed to the project and is still in the process of getting all of the signatures that they need from their offices in Europe. They are targeting the December meeting of the Economic Assistance Coordinating Council. The application deadline for the December meeting is at the end of October. The Town side of the project is done, the Selectmen have approved the TIF and the Town officials have signed the application, we are just waiting on the signatures from Schneider

Franciscan Overlay:

Mr. Materazzo introduced the Franciscan Overlay Taskforce that was established in August 2011 to investigate the feasibility of providing housing opportunities for the aging population of Andover, specifically in the area of the Franciscan Center and abutting properties on River Road. The Task Force has developed a draft overlay bylaw that it is planning to present to the public in anticipation of Spring 2013 Town Meeting. Charlie Kendrick, 8 Forbes Lane, Co-Chair of the Task Force gave a PowerPoint presentation to the Board on the projected overlay. The prospective overlay district is proposed to consist of 113 acres, approximately 50 of which are buildable due to the amount of wetlands on the property. In its current SRC zoning, 40-50 single family homes could be built on the property. The proposed overlay would accomplish the following: provide housing for the aging population consistent with the 2012 Master Plan, supply services that will support the senior population, allow the area to remain a residential zone, allow the community to preserve open space and retain access to the Merrimack River, provide affordable housing options for Seniors and allow a more diverse land use. The Task Force evaluated three senior residential, single developer communities, which are one institute one corporation senior communities: Carleton Willard Village in Bedford, Edgewood in North Andover, and the Groves in Lincoln. These fully developed communities provided examples of what kinds of amenities are needed on the property. These communities consist of different types of housing including single family homes, apartments, townhouses, assisted living residences, Alzheimer's support, and skilled nursing as well as services provided for seniors that become a part of the community.

Arthur Friedman, 5 Stoneybrook Circle, Co-Chair of the Task Force explained that this overlay would provide a place in Town where people who are active and healthy at 62 can move in and stay throughout the rest of their life. Mr. Kendrick noted that over the next 10-15 years, there will be an extremely large number of residents in the senior population. If the Town can establish this overlay now, it will be prepared for the future market, and seniors of different economic levels would be able to participate. The overlay would provide an asset that would be more valuable than 44 single family homes in regards to taxes and job creation. Mr. Materazzo added that this would also benefit residents who may want to bring their parents to Town to be closer to them. There was a discussion on how the details are being worked out on affordability. Mr. Kendrick noted that power can be given to the Planning Board as to how affordability and other items can be addressed because certain aspects cannot be addressed until there is an actual developer. Mr. Doherty asked about services and amenities such as ambulance and police. Mr. Materazzo stated that the fire department agrees that there is a lack of service in that area with this type of development. They feel that there would need to be some sort of mutual agreement or arrangement with the developer for these services, or there would need to be ambulance services provided by the Town for that area. Ms. Duff asked about abutting properties and Mr. Friedman explained the layout of the neighborhood. The Task Force has considered expanding the area of the overlay, but they have not spoken with residents yet as to whether or not they would want their properties to be included. There have been neighborhood meetings and the area residents have expressed interest in preserving open space, and they are agreeable to the idea of the senior living overlay because they do not want a commercial establishment in that area. As part of this overlay, 30% of the development would have to be permanently protected open space, 20% common open space, and there would be a density bonus for anyone who

Franciscan Overlay (cont'd):

proposed 50% permanently protected open space with an additional 20% of common open space. Arthur Friedman noted that it is natural with the topography that the open space would be in a wetland area that could not be built on anyway.

Tim Vaill, 9 Bancroft Road, member of the Economic Development Council, asked if there have been any developers who have approached the Town about wanting to do this project. He also asked what is known about the market demand for these types of units, and what is the competition in the area, and does that market research indicate that this could be successful in that area. Mr. Kendrick answered that Wingate did approach the Franciscans initially to buy the land, but that deal fell through. The Task Force has not worked with a specific developer. There have been open meetings that representatives of developers have attended, but the overlay is not designed with a specific developer in mind. Mr. Materazzo noted that the attorneys for the Franciscans have been getting a number of calls from aging in place developers, and that these developers are monitoring what the Town is doing.

Mary Garrity Cormier, 14 Nicole Drive, member of the Task Force, informed the Board that Andover is aging faster than the US Census numbers. There are very few models of independent living, assisted living, and memory care. Most other facilities focus on assisted living or nursing care. The aging population wants to remain as independent as possible. The statistics show that as people age in Andover, they leave Andover, so there is potentially an awesome market if it is developed correctly.

Ms. Duff asked what the next steps are. Mr. Materazzo answered that the Task Force is currently meeting with different committees and groups in Town. They have met with the Finance Committee and will be meeting with the Council on Aging. There was a community meeting last year and they are looking to reengage the community on a broader base as well as the Selectmen. Once the document is finalized the Task Force will roll it out to the general public in anticipation of Spring 2013 Town meeting. There was a discussion on who would be sponsoring the overlay and if the Franciscans should be included in the sponsorship. Mr. Materazzo and the Task Force assured the Board that the Franciscans have not expressed any opposition to the overlay and it is their hope that the Planning Board would co-sponsor the overlay with the Task Force. Mr. Doherty added that the Franciscans expressed at the neighborhood meeting that they would like to leave the Town of Andover with a legacy other than a single family development.

ID Amenities:

Mr. Materazzo informed the Board that for the past few years there has been private sector demand in the industrial districts to pursue some retail/commercial opportunities that would supply amenities to their employees that are not permitted under current zoning. After last year's Town Meeting, a working group was put together with representatives from the Planning Board, Green Advisory Board and Economic Development Council to explore this possibility. The ID and the IA zoning districts include the River Road, Dascomb Road, Route 133 and Lowell Junction areas off of Route 93 as well as the Brickstone Square property. The River Road area alone is home to 10,000 employees on a daily basis. This area is currently serviced by a Chili's and Chateau Restaurant as well as a small Dunkin Donuts in the Mobil Station. This past year

ID Amenities (cont'd):

Dunkin Donuts was looking to expand, but under present zoning laws fast food is not allowed, so they were denied by the Zoning Board of Appeals. The group understands that each area is unique so the bylaw needs to be drafted to allow the uses that are wanted, but prohibit the uses that are not wanted. The group enlisted the Merrimack Valley Planning Commission to investigate square footages of different retail operations. The uses that the Group feels would compliment these areas include retail stores, personal services establishments such as hair and nail salons, convenience stores, grocery stores, medical center or clinic such as a satellite hospital, dry cleaning, sit down restaurant and fast food and indoor recreational commercial establishments and would be under the 15,000 s.f. A grocery store line item could be added to backfill some of the vacant land areas in the older industrial parks. The group recently met with members of the Merrimack Valley Transportation Management Association who expressed that a majority of property owners, especially businesses on the North side of River Road are very excited about this possible flexibility. There was one business in the Shattuck Road area that was concerned about retail and medical uses in that area. The group also recognizes that there may be opposition from residents who live in or close to some of these zones. Mr. Doherty asked how much land was available off of River Road. Mr. Materazzo estimated 4 million s.f. of space in total with pad sites already permitted and ready to build on as well as land and buildings that are vacant. Mr. Macaux asked if there had been a meeting of the neighborhood on this yet. Mr. Materazzo answered that there has not been a community meeting, that is probably the next step, right now they are touching bases with the Planning Board, the Selectmen and industrial businesses to broach the topic with them and get their feedback. Instead of creating mini-overlays in each district, an ID2 district could be created and placed in each district where these amenities would be welcome such as the northern section of River Road and the southern section of Dascomb Road. Raytheon has already expressed that they have no interest in these amenities, so by excluding Raytheon you take away resident opposition to the whole idea in that area. This could also be an interim solution to provide such services in the Lowell Junction area until the form based code project goes through.

Tim Vaill, 9 Bancroft Road, of the Economic Development Council addressed the Board regarding the impact this rezoning would have on the Downtown Andover Business District. Mr. Vaill stated that the older notion of the downtown business district being worried about losing customers doesn't hold water. Residents in that area and people who work in that area are leaving Andover to spend their money. From a tax standpoint, there is a real revenue opportunity for the Town if you do the right kind of mix. Competition to recruit large businesses to Town is heating up, and these industrial areas need to be more attractive to retain existing businesses and for new businesses to come in to the area. Mr. Materazzo brought the Board's attention to a recent article that he provided them from the Boston Globe that outlined the competition amongst communities to attract businesses and the amenities that they are providing them. If you look at every border in Andover, there are retail shops set up just over the Town line that are getting revenue from Andover residents and employees.

Mr. Materazzo noted that an area like Brickstone Square may run into opposition from neighbors and he would hate if that would bring down the whole effort. Mr. Chiozzi asked if the area thresholds of the buildings had to be the same for all districts. Mr. Materazzo stated that it did not, but you need to be wary of how many details go into this bylaw because it could raise

ID Amenities (cont'd):

numerous questions. Mr. Materazzo explained that they are looking to limit the retail uses square footage to 15,000 but would not put a specific limit on grocery stores or medical uses; there would be a Special Permit criteria through the planning board. There would be a cap for all at 75,000 s.f. The Board discussed if this should be a phased approach in order to control the quality of development. There was a discussion on possible objections from the community including traffic, proximity to residences and impact on downtown businesses, and what the next steps for this initiative would be.

Adjournment: The meeting was adjourned at 9:25 p.m.